

**REMARKS**

Claims 1 – 6, 8 and 10 - 13 are pending in the present application. By this Amendment, claims 1, 4, 5 and 8 have been amended and new claim 17 has been added. No new matter has been added. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated August 27, 2003.

**Allowable Claim Subject Matter:**

Applicants gratefully acknowledge the indication in the Office Action that claims 10 – 13 are allowable over the prior art of record.

In addition, Applicants gratefully acknowledge the indication in the Office Action that claims 4 and 5 would be allowable “upon clarification and resolution of the 35 U.S.C. §112, second paragraph issue.”<sup>1</sup>

As discussed below, each of claims 4 and 5 has been amended to overcome the 35 U.S.C. §112, second paragraph issue, and therefore it is submitted that each of claims 4 and 5 are now allowable over the prior art of record.

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<sup>1</sup> Please see, lines 18 – 19, page 3 of the Office Action.

**Examiner Interview:**

The courtesy extended by Examiner Clark during the November 20, 2003 telephone conference is gratefully appreciated. The substance of such conference is incorporated into the following remarks.

**35 U.S.C. §1.112, Second Paragraph Rejection**

Claims 4 and 5 stand rejected under 35 U.S.C. §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

This rejection is respectfully traversed.

It is respectfully submitted that each of claims 4 and 5 has been amended to overcome this rejection. Moreover, it is submitted that during the November 20, 2003 telephone conference it was agreed to by Examiner Clark that such claims amendments to claims 4 and 5 were sufficient to overcome this rejection. Accordingly, withdrawal of this rejection is respectfully requested.

**As to the Merits**

As to the merits of this case, the Examiner maintains the following rejections:

1) claims 1 - 3 and 8 stand rejected under 35 U.S.C. §102(b) as being anticipated by Ushiku, et al. (U.S. Patent No. 5,032,890);

2) claims 1 and 6 stand rejected under 35 U.S.C. §102(b) as being anticipated by Bothra, et al. (U.S. Patent No. 6,020,616); and

3) claim 8 stands rejected under 35 U.S.C. §103(a) as being anticipated by Shin.

Each of these rejections is respectfully traversed.

Claim 1, as amended, now calls for a semiconductor integrated circuit comprising: a plurality of layers provided on a semiconductor substrate; wires provided in a first layer that is one of said plurality of layers, said wires excluding those having a wire width wider than a predetermined wire width; and wire dummies provided in a second layer different from the first layer by avoiding areas that are directly above or below positions of said wires provided in said first layer. Support for the amendments to claim 1 are provided at page 13, lines 20 – 37 of the present specification.

It is respectfully submitted that the applied references of Ushiku and Bothra each fail to disclose the new features of amended claim 1 concerning wires provided in a first

layer that is one of said plurality of layers, said wires excluding those having a wire width wider than a predetermined wire width.

Claim 8, as amended, now calls for a semiconductor integrated circuit, comprising: a wire layer; wires provided in said wire layer; and square dummy patterns provided in said wire layer and having different sizes, wherein the size of one of said square dummy patterns that is arranged between two adjacent wires of said wires spaced apart from each other by a first distance is larger than the size of one of said dummy patterns that is arranged between two adjacent wires of said wires spaced apart from each other by a second distance that is shorter than the first distance. Support for the amendments to claim 8 is provided in the layout shown in Fig. 9C of the present application.

It is respectfully submitted that the applied references of Ushiku and Shin each fail to disclose the new features of amended claim 8 concerning wherein the size of one of said square dummy patterns that is arranged between two adjacent wires of said wires spaced apart from each other by a first distance is larger than the size of one of said dummy patterns that is arranged between two adjacent wires of said wires spaced apart from each other by a second distance that is shorter than the first distance.

Application No.: 09/994,753  
Amendment dated December 29, 2003  
Reply to Office Action of August 27, 2003


For at least the foregoing reasons, it is believed that this application is now in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is believed that this application is not in condition for allowance, Examiner is encouraged to contact the Applicants' undersigned attorney at the telephone number below to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 50-2866.

Respectfully submitted,

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Attachments: Petition for Extension of Time w/Fee  
Change of Correspondence Address

TEB/rer